

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **Weiser et al.**)
Application No.: **10/626,260**) Art Unit: **1794**
Filing Date: **July 24, 2003**) Examiner: **Ula Corinna Ruddock**
Title: **Turf Reinforcement Mat Having**) Confirmation No.: **9583**
Multi-Dimensional Fibers and Method) Atty. Docket: **05485.105053**
For Erosion Control)

RESPONSE TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF

Mail Stop Appeal Brief-Patents
Commissioner for Patents
P. O. Box 1450
Alexandria, Virginia 22313-1450

January 8, 2009

Sir:

In response to the Notification of Non-Compliant Appeal Brief mailed January 6, 2009, Appellants submit the attached amended "Status of Claims" section to Appellants' Appeal Brief, pursuant to MPEP 1205.03. The amended section corrects the alleged deficiency in Appellants' original Appeal Brief filed on December 5, 2008 by explicitly reciting that Claims 2, 9-17, and 26 have been canceled. Appellants respectfully request that the amended "Status of Claims" section be entered and considered with Appellants' original Appeal Brief.

Appellants submit that, as amended, the Appeal Brief is compliant with each of the requirements of 37 CFR 41.37. Therefore, Appellants request consideration of the Appeal Brief on the merits. No fees are believed to be due in connection with this response. The Commissioner is authorized to charge any underpayment of fees to King & Spalding Deposit Account No. 11-0980. If any issues exist that can be resolved by a telephone conference, please contact Appellants' representative at 404-572-4874.

King & Spalding
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404.572.4600 (main)
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Respectfully submitted,
/Lisa B. Sims/
Lisa B. Sims
Reg. No. 56,701

I hereby certify that this correspondence is being electronically transmitted via EFS-Web to: Mail Stop Appeal Brief-Patents, Commissioner for Patents, P. O. Box 1450, Alexandria, Virginia 22313-1450, on January 8, 2009.

/Lisa B. Sims/

Lisa B. Sims, Reg. No. 56,701

Status Of Claims

Claims 1, 3-8, and 18-25 stand finally rejected and are on appeal. Claims 1 and 18 are the independent claims. Claims 2, 9-17, and 26 have been canceled. Appendix 1 to Appellants' original Appeal Brief provides a complete listing of the claims.